

**STATEMENT OF
CHAIRMAN KEVIN J. MARTIN**

Re: Appropriate Regulatory Treatment for Broadband Access to the Internet Over Wireless Networks, WT Docket No. 07-53

In this Ruling, we find that wireless broadband Internet access service is an information service, and that mobile wireless broadband Internet access service is not a “commercial mobile service” under section 332 of the Act.

Today’s ruling highlights that the broadband market today is increasingly characterized by multiple platforms that are vigorously competing for customers. Wireless service is becoming increasingly important as another platform to compete with cable and DSL as a provider of broadband.

I have long believed that the Commission should focus on creating a regulatory environment that promotes investment and competition by minimizing economic regulation. In addition, the Commission must set the rules of the road so that players can compete on a level playing field. In other words, all providers of the same service should be treated in the same manner regardless of the technology that they employ.

Today’s classification eliminates unnecessary regulatory barriers for wireless broadband Internet access service providers and will further encourage investment and promote competition in the broadband market. The Commission’s action also clarifies any regulatory uncertainty and establishes a consistent regulatory framework across broadband platforms. We have already classified Internet access services provided over cable plant, wireline facilities, and broadband over powerline as information services. Now, wireless broadband Internet access service will be treated the same way. This action is particularly timely in light of the recently auctioned AWS-1 spectrum for wireless broadband and our upcoming 700 MHz auction.